No. 7700010

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow Seed Company

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF seventeen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (P.L. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'Kriter'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office *to be affixed at the City of* Washington *this* ninth *day of* May *in the year of our Lord one thousand nine hundred and* seventy-seven

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(1-76)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
PLANT VARIETY PROTECTION OFFICE
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1a. TEMPORARY DESIGNATION OF VARIETY ~~VISION~~ KRITER ~~XP-C63~~ 4/7 3/15/77	1b. VARIETY NAME	FOR OFFICIAL USE ONLY PV NUMBER 7700010
2. KIND NAME Pea	3. GENUS AND SPECIES NAME Pisum sativum	FILING DATE 11-5-76 TIME 12:15 P.M.
4. FAMILY NAME (BOTANICAL) Legume	5. DATE OF DETERMINATION 1972	FEE RECEIVED $250.00 $250.00 $250.00 DATE 11.29.76
6. NAME OF APPLICANT(S) Asgrow Seed Company	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)* Kalamazoo, Michigan 49001	8. TELEPHONE AREA CODE AND NUMBER (616) 385-6605

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)* Corporation	10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware	11. DATE OF INCORPORATION March 22, 1968

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

John A. Batcha
Asgrow Seed Company
7000 Portage Road
Unit 9630-190-1
Kalamazoo, Michigan 49001

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- [XX] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [XX] 13B. Exhibit B, Novelty Statement.
- [XX] 13C. Exhibit C, Objective Description of the Variety *(Request form from Plant Variety Protection Office.)*
- [XX] 13D. Exhibit D, Additional Description of the Variety.

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? *(See Section 83(a). (If "Yes," answer 14B and 14C below.)* [ ] YES [XX] NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations? [ ] YES [ ] NO

14C. If "Yes," to 14B, how many generations of production beyond breeder seed? [ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

15. Does the applicant(s) agree to the publication of his/her (their) name(s) and address in the Official Journal? [XX] YES [ ] NO

16. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

October 26, 1976
(DATE)

John A. Batcha
(SIGNATURE OF APPLICANT)
John A. Batcha

(DATE)

(SIGNATURE OF APPLICANT)

00001

Asgrow Seed Company
XP-C63

7700010

EXHIBIT A - Origin and Breeding History of ~~XP-C63~~ KRITER ~~VISION~~ Pea

KRITER ~~VISION~~ The original cross (Wisconsin 715 x Nugget) was made in the summer of 1966. ~~XP-C63~~ was developed by selection within segregating material from this cross. Single vine selections were made each generation until F_7. The line was entered into yield trials in 1972 and a decision was made in the fall of 1972 to start small scale seed increase. In July of 1973 it was determined that the line was unique and breeding true but there was a question regarding its commercial value. After more tests in 1973, and 1974 it was decided that the line had commercial potential and it was designated as ~~XP-C63~~ ~~VISION~~ KRITER in January 1975.

There are no known variants in this line. As a final test of homozygosity approximately 300 single plant progenies were grown and inspected for off types. The progenies were extremely uniform, but any progeny which was questionable in any way was removed from the field. The remaining progenies were then harvested as a bulk and this has become Breeder's Seed of the line. The line is stable and breeding true.

October 26, 1976

Asgrow Seed Company
XP-C63 Pea

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EXHIBIT B - Novelty statement regarding ~~XP-C63~~ ~~VISION~~ KRITER Pea

~~XP-C63~~ ~~VISION~~ KRITER is quite unique as a pea variety. It has an Alaska type seed and a Perfection type plant. The seed is smooth similar to Alaska but the plant is entirely different from Alaska in that the leaf color is medium green whereas Alaska is light green, the plant is medium stocky whereas Alaska is slim, and ~~XP-C63~~ ~~VISION~~ KRITER is five days later than normal Alaskas.

The pods of ~~XP-C63~~ ~~VISION~~ KRITER are considerably darker in color, longer and more slender than Alaska pods. The plants of ~~XP-C63~~ ~~VISION~~ KRITER are much more stocky and compact than Alaska plants.

Enclosed are photos of pods. These pictures were taken under the same artificial light and at very close to the same stage of maturity. These photos illustrate the difference in length, color and shape of pods.

The other two photos were taken in the field on July 3, 1974 within a few minutes of each other of plots planted on April 18, 1974. The color is not very good but it is plain that ~~XP-C63~~ ~~VISION~~ KRITER plants are darker in color and more stocky than Alaska plants.

~~XP-C63~~ ~~VISION~~ KRITER is practically identical to the Asgrow variety Rally (XP-C60). These two varieties cannot be distinguished in the field by visual observation. However, Rally is wrinkle seeded whereas ~~XP-C63~~ ~~VISION~~ KRITER is smooth seeded and there is a corresponding difference in flavor.

October 26, 1976

FORM APPROVED. OMB NO. 40-R3712

FORM GR-470-14
(5-15-74)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

EXHIBIT C
(Pea)

OBJECTIVE DESCRIPTION OF VARIETY

PEA *(PISUM SATIVUM)*

NAME OF APPLICANT(S)
Asgrow Seed Company

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*
Kalamazoo, Michigan 49001

VARIETY NAME OR TEMPORARY DESIGNATION ~~VISION~~ ~~XP-C63~~ KRITER

FOR OFFICIAL USE ONLY
PVPO NUMBER 7700010

Place the appropriate number that describes the varietal character in the boxes below.
Place a zero in first box (e.g. [0][8][9] or [0][9]) when number is either 99 or less or 9 or less.

1. TYPE:

[1] 1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

[1][1] Node number of first bloom: [0][6][9] No. of days to processing [1][2][8][0] Heat Units

[ ][ ] No. of days *Earlier* than . . . [1] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[0][5] No. of days *Later* than . . . . [ ] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

[0][4][0] CM. HIGH

[2][0] Cm. *Shorter* than . . . . . [1] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[ ][ ] Cm. *Taller* than . . . . . [ ] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

[1] Habit: 1 = DETERMINATE 2 = INDETERMINATE [2] Stockiness: 1 = SLIM (Alaska) 2 = MEDIUM (Thomas Laxton WR) 3 = HEAVY (Alderman)

[2] Branching: 1 = NONE (Alaska) 2 = 1–2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar

[2] Internodes: 1 = STRAIGHT 2 = ZIG ZAG [1][7] NUMBER OF NODES

5. LEAFLETS:

[2] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman) 4 = OTHER (Specify)

[2] Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 4 = HEAVY [2] 1 = NOT MARBLED 2 = MARBLED (Alaska)

[3] Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

[2] 1 = LACKING 2 = PRESENT [1] 1 = NOT CLASPING 2 = CLASPING

[2] 1 = NOT MARBLED 2 = MARBLED [3] Size (Compared with leaflets): 1 = SMALLER 2 = SAME 3 = LARGER

[2] Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

[1] VENATION [1] STANDARD [1] WING [1] KEEL } 1 = WHITE 2 = GREENISH 3 = LAVENDER 4 = PURPLE 5 = RED 6 = OTHER (Specify) _____

RECEIVED NOV 5 1976

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and $250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, National Agricultural Library, Beltsville, Maryland 20705. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Give the date the applicant determined that he had a new variety based on (1) the definition in Section 41(a) of the Act and (2) the date a decision was made to increase the seed.

13a Give (1), the genealogy, including public and commerical varieties, lines, or clones used, and the breeding method. (2), the details of subsequent stages of selection and multiplication. (3), the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4), evidence of stability.

13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties; (1) identify these varieties and state all differences objectively; (2) Attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.

13c Fill in the Exhibit C, Objective Description form for all characteristics, for which you have adequate data.

13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe; such as; plant habit, plant color, disease resistance, etc.

14A If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled or published or the certificate has been issued. However, if the applicant specifies "NO", he may change his choice. (See Section 180.15 of the Regulations and Rules of Practice.)

Asgrow Seed Company
XP-C63 Pea

7700010

EXHIBIT D - Additional description of ~~XP-C63~~ KRITER ~~VISION~~

KRITER ~~VISION~~ ~~XP-C63~~ is a second early smooth seeded canning pea which is very unique in that the plant is not an Alaska type plant but a typical Perfection type plant.

The line is very close to 100% double podded. There are practically no triples and very few single pods under normal conditions. The berry count per pod is very high in that it will average very close to eight seeds per pod and there are many pods containing nine or ten seeds.

Whereas Alaska type pods are light green in color, short, blunt and very tightly filled the pods of ~~XP-C63~~ ~~VISION~~ KRITER are medium green in color, longer, not as blunt, and not as tightly filled.

The average sieve size of ~~XP-C63~~ KRITER ~~VISION~~ peas at 100 tenderometer is approximately 1.8. This is significantly smaller than practically all canner peas on the market. The variety D-409 from Morrison Seed Co. is a smooth seeded pea with about the same sieve size. However D-409 is a very late pea being at least a week later than ~~XP-C63~~ ~~VISION~~ KRITER and is also entirely different from ~~XP-C63~~ ~~VISION~~ KRITER in pod and plant type. We are not aware of any other smooth seeded pea with sieve size as small as ~~XP-C63~~ ~~VISION~~ KRITER.

October 26, 1976

'Kriter' 77-10

8. PODS:

[1] Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)

[2] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____

[1] Surface: 1 = SMOOTH 2 = ROUGH

[1] Surface: 1 = SHINY 2 = DULL

[2] Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____

[0 6] CM. LENGTH

[1 2] MM. WIDTH (Between sutures)

[0 8] NO. SEEDS PER POD

9. SEEDS (95–100 Tenderometer):

[1] Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____

Seive: %	1	2	3	4	5	6	7	8	AVERAGE
	40	43	15	02					179

SEEDS (Dry, Mature):

[4] Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED

[1] Surface: 1 = SMOOTH 2 = DIMPLED 3 = WRINKLED

[2] Surface: 1 = SHINY 2 = DULL

[1] Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED

[2] Primary Color: 1 = CREAMY–WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN 5 = DARK GREEN 6 = BLUE–GREEN 7 = YELLOW 8 = BROWN 9 = RED

[ ] Secondary Color: 10 = GRAY 11 = BLACK

[2] Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK

[1] Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE

[1 4] GRAMS PER 100 SEEDS

10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[2] FUSARIUM WILT

[0] NEAR–WILT

[0] DOWNY MILDEW

[0] ASCOCHYTA BLIGHT

[1] POWDERY MILDEW

[0] BACTERIAL BLIGHT

[0] MOSAIC

[0] PEA ENATION MOSAIC

[0] YELLOW BEAN MOSAIC

[ ] OTHER (Specify) _____

11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[0] APHIDS

[ ] OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	Rally (XP-C60)	Fresh Seed Color	Rally (XP-C60)
Leaf Color	"	Mature Seed Color	"
Pod Color	"	Seed Shape	Alaska -7
Pod Shape	"	Plant Habit	Rally

COMMENTS: This variety is nearly identical in all respects to Rally, except that it is smooth seeded, shere as Rally is wrinkled. Both have Perfection type vine.